IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWELTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 22204 of 1994

Between:

1 D. Satya Kumar, S/o D.Mohan Reddy,
R/o Balaji Nagar, Nellore Town. Rep by his father and GPA Holder D. Mohan reddy,
S/o D. Subbarayulu Reddy, Aged About 48, Occ. Agriculture
2 D. Sampath Kumar, s/o D. Mohan reddy,
R/o Balaji Nagar, Nellore Town.
3 D. Sarath Kumar Reddy, s/o D. Mohan Reddy,
R/o Balaji Nagar, Nellore Town.

..... PETITIONERS

AND

1 the State of A.P., Rep by its Secretary,
Road & Buildings Department, Secretariat Buildings,
Hyderabad.
2 The Executive Engineer,
Roads & Buildings, Gudur Division,
Nellore Dist.
3 The Special Tahsildar,
Land Acquisation, Collector's Office, Nellore.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandmus declaring the action of the Respondents in taking possession of 45 cents of wet land inS.No.1008 and 1.50 cents of dry land in Sy.No.1009 of Reddypalem Bit-I Village, Vakadu (M), Nellore Dist for the purpose of formation of a road from Mallam (V) to Nidigurthi (V) from KM 9/6 to KM 10/2 without initiating any proceedings nor paying compensation to the petitioners under the provisions of the

Land Acquisition Act as illegal, arbitrary, unjust and violative of Articles 300-A of the Constitution of India and consequently direct the respondents to initiate the Land Acquisition proceedings acquiring the above said Lands forthwith and pay compensation there for with all statutory benefits.

Counsel for the Petitioner:MR.P.SRIDHAR REDDY

Counsel for the Respondents: G.P.For Land Acquisition

The Court made the following :

OR D E R:

In the counter affidavit filed by the respondents it is stated that the amount of compensation has already been paid to the petitioners on 13.04.1998.

In view of the above submission, nothing survives in this writ petition. The writ petition is accordingly dismissed. No costs.

Sd/- M.A.NAYEEM PASHA

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The Secretary, Roads & Buildings Department, the State of A.P.,

Secretariat Buildings, Hyderabad.

2. The Executive Engineer, Roads & Buildings, Gudur Division, Nellore

District.

3. The Special Tahsildar, Land Acquisition, Collector's Office, Nellore.

4. 2 C.Cs to the Government Pleader for Land Acquisition, High Court of

A.P., Hyderabad (OUT)

5. 2 C.D.Copies.

TRK

HIGH COURT

DATED:

12.8.2004

ORDER:

W.P.NO. 22204 OF 1994

DISMISSING THE WRIT

PETITION WITHOUT COSTS